

Notice of Removal

EXHIBIT 3

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

COMMONWEALTH OF PUERTO RICO,
through its Attorney General,

Plaintiff,

v.

EXXON MOBIL CORPORATION; BP P.L.C.;
CHEVRON CORPORATION; CHEVRON
PHILLIPS CHEMICAL PUERTO RICO
CORE, LLC; CONOCOPHILLIPS; SHELL
PLC; STATION MANAGERS OF PUERTO
RICO, INC.; TOTALENERGIES; and
TOTALENERGIES MARKETING PR CORP.,

Defendants.

Civil Action No.

**DECLARATION OF JOSHUA D. DICK
IN SUPPORT OF NOTICE OF
REMOVAL BY DEFENDANT
CHEVRON CORPORATION**

I, Joshua D. Dick, declare as follows:

1. I am an attorney admitted to practice in the State of California, and my application for admission *pro hac vice* before this Court is forthcoming. I am a partner in the law firm of Gibson, Dunn & Crutcher, LLP, and I am one of the attorneys responsible for the representation of Defendant Chevron Corporation (“Chevron”) in this matter. I make this declaration in support of Chevron’s Notice of Removal, filed concurrently herewith.

2. I have consulted with my client, and I have been informed that Chevron has not yet been served by Plaintiff the Commonwealth of Puerto Rico with a copy of the Complaint filed in the Court of First Instance, San Juan Superior Part, on July 15, 2024. This Notice of Removal is thus timely under 28 U.S.C. § 1446(b) because it is not filed later than “30 days after the receipt by” Chevron, “through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based.” 28 U.S.C. § 1446(b). *See Murphy*

Bros., Inc. v. Michetti Pipe Stringing, Inc., 526 U.S. 344, 354 (1999) (“[I]f the complaint is filed in court prior to any service, the removal period runs from the service of the summons.”); *Novak v. Bank of New York Mellon Trust Co., NA*, 783 F. 3d 910, 911 (1st Cir. 2015) (noting that “the Supreme Court has held that a defendant’s statutory period to remove does not begin to run, and a defendant is not *required* to remove, until the defendant has been served,” and holding that “service is generally not a prerequisite for removal and that a defendant may remove a state-court action to federal court any time after the lawsuit is filed but before the statutorily-defined period for removal ends”).

3. The consent of the other Defendants is not required because removal does not proceed “solely under 28 U.S.C § 1441.” 28 U.S.C § 1446(b)(2)(A). Chevron has removed this action to federal court on several bases including, for example, 28 U.S.C § 1442(a)(1). Further, consent is not required from any Defendant that has not been served. *See, e.g.*, 28 U.S.C § 1446(b)(2)(A). Nevertheless, “all defendants who have been properly joined and served” consent to the removal of this action. 28 U.S.C. § 1446(b)(2)(A). Such consents were provided to counsel for Chevron in correspondence with the other served Defendants and/or their counsel.

4. Unless otherwise stated, the following facts are within my personal knowledge through personal review of the documents and information described herein or through information gathered and provided to me by individuals at my firm, at my direction. If called and sworn as a witness, I could and would testify competently thereto.

5. Attached hereto as **Exhibit 1** is a true and correct copy of the Affidavit of Dr. Mark R. Wilson, filed in *Anne Arundel County v. BP p.l.c., et al.*, No. 21-cv-01323 (D. Md.), filed May 27, 2021.

6. Attached hereto as **Exhibit 2** is a true and correct excerpted copy of the National Petroleum Council's *A National Oil Policy for the United States*, published in 1949.

7. Attached hereto as **Exhibit 3** is a true and correct excerpted copy of a Statement of Senator Joseph C. O'Mahoney, Chairman of the United States Senate Special Committee Investigating Petroleum Resources, made on November 28, 1945.

8. Attached hereto as **Exhibit 4** is a true and correct copy of a Statement of Ralph K. Davies, Deputy Petroleum Administrator for War, made to the Special Committee Investigating Petroleum Resources, S. Res. 36, on November 28, 1945.

9. Attached hereto as **Exhibit 5** is a true and correct excerpted copy of a Statement of George A. Wilson, Director of Supply and Transportation Division, Wartime Petroleum Supply and Transportation, PAW, made to the Special Committee Investigating Petroleum Resources, S. Res. 36, on November 28, 1945.

10. Attached hereto as **Exhibit 6** is a true and correct excerpted copy of John W. Frey and H. Chandler Ide's *A History of the Petroleum Administration for War*, published in 1946.

11. Attached hereto as **Exhibit 7** is a true and correct excerpted copy of the Remarks of Secretary Harold Ickes to the Conference of Petroleum Industry Chairmen on August 11, 1941.

12. Attached hereto as **Exhibit 8** is a true and correct copy of a Telegram from P.M. Robinson, PAW Assistant Director of Refining, to Ralph K. Davies, PAW Deputy Administrator, dated August 12, 1942.

13. Attached hereto as **Exhibit 9** is a true and correct excerpted copy of the Fourth Annual Report of the Activities of the Joint Committee on Defense Production, printed at House Report No. 84-1, dated January 5, 1955.

14. Attached hereto as **Exhibit 10** is a true and correct excerpted copy of the *Defense Logistics Agency Energy Fiscal Year 2019 Fact Book*, as prepared and published by the United States Department of Defense, Defense Logistics Agency (“DLA”), available at https://www.dla.mil/Portals/104/Documents/Energy/Publications/FactBookFiscalYear2019_high_res.pdf?ver=2020-01-21-103755-473.

15. Attached hereto as **Exhibit 11** is a true and correct excerpted copy of the Twenty-Fourth Annual Report of the Activities of the Joint Committee on Defense Production, dated January 17, 1975.

16. Attached hereto as **Exhibit 12** is a true and correct excerpted copy of the records of the Hearing on Senate Joint Resolution 176, To Authorize the Production of Petroleum from Naval Petroleum Reserve Numbered 1 (Elk Hills, Calif.), before the Subcommittee on National Stockpile and Naval Petroleum Reserve, of the Committee on Armed Services, United States Senate, December 1973.

17. Attached hereto as **Exhibit 13** is a true and correct copy of an article by John W. Finney, *Fuel is Diverted for the Military*, published in the New York Times on November 28, 1973.

18. Attached hereto as **Exhibit 14** is a true and correct copy of the Amici Curiae Brief of General (Retired) Richard B. Myers and Admiral (Retired) Michael G. Mullen in Support of Petitioners, filed in *BP p.l.c. v. Mayor & City Council of Baltimore*, 593 U.S. 230 (2021) (No. 19-1189).

19. Attached hereto as **Exhibit 15** is a true and correct copy of the Amici Curiae Brief of General (Retired) Richard B. Myers and Admiral (Retired) Michael G. Mullen in Support of

Defendants-Appellants, filed in *City and Cnty. of Honolulu v. Sunoco LP*, 39 F.4th 1101 (9th Cir. 2022) (No. 21-15313).

20. Attached hereto as **Exhibit 16** is a true and correct copy of the Navy Supply Corps Newsletter, *A Word about Fuels*, dated May 29, 2020, available at <https://scnewsltr.dodlive.mil/2020/05/29/a-word-about-fuels/>.

21. Attached hereto as **Exhibit 17** is a true and correct copy of the Navy Supply Corps Newsletter, *NAVSUP Fuels: What the Fleet Runs On*, dated Spring 2020, available at https://scnewsltr.dodlive.mil/files/2020/04/2020-SCNews-Spring_web.pdf.

22. Attached hereto as **Exhibit 18** is a true and correct excerpted copy of Gregory Pedlow and Donald Welzenbach's 1992 report, *The Central Intelligence Agency and Overhead Reconnaissance: The U-2 and OXCART Programs, 1954-1974*.

23. Attached hereto as **Exhibit 19** is a true and correct copy of CIA Doc. No. CIA-RDP90B00170R000100080001-5, Clarence L. Johnson, Development of the Lockheed SR-71 Blackbird (Aug. 3, 1981).

24. Attached hereto as **Exhibit 20** is a true and correct excerpted copy of Ben Rich and Leo Janos's *Skunk Works*, published in 1994.

25. Attached hereto as **Exhibit 21** is a true and correct copy of CIA Doc No. CIA-RDP67B00074R000500400016-2, Contract No. AF33(657)-8577 (SH-511), dated August 14, 1962.

26. Attached hereto as **Exhibit 22** is a true and correct copy of CIA Doc. No. CIA-RDP67B00074R000500400012-6, Amendment No. 2 to Contract No. AF33(657)-5577 (SH-511), dated August 26, 1963.

27. Attached hereto as **Exhibit 23** is a true and correct copy of CIA Doc. No. CIA-RDP67B00074R000500440005-0, Concurrence in Contract No. SH-515 with Shell Oil Company, Project OXCART, dated September 20, 1963.

28. Attached hereto as **Exhibit 24** is a true and correct copy of CIA Doc. No. CIA-RDP67B00074R000500450004-0, Contract No. AF33(657)-13272 (SH-516), dated June 30, 1964.

29. Attached hereto as **Exhibit 25** is a true and correct copy of CIA Doc. No. CIA-RDP67B00074R000500440006-9, Contract No. AF33(657)-12525 (SH-515), dated September 20, 1963.

30. Attached hereto as **Exhibit 26** is a true and correct copy of CIA Doc. No. CIA-RDP67B00074R000500430003-3, Concurrence in Contract No. SH-514 with Shell Oil Company, New York, N.Y., dated June 28, 1963.

31. Attached hereto as **Exhibit 27** is a true and correct copy of CIA Doc. No. CIA-RDP67B00074R000500420006-1, Contract No. AF33(657)10449 (SH-513), dated February 25, 1963.

32. Attached hereto as **Exhibit 28** is a true and correct copy of CIA Doc. No. CIA-RDP67B00074R000500410006-2, Contract No. AF33(657)-8582 (SH-512), dated September 13, 1962.

33. Attached hereto as **Exhibit 29** is a true and correct copy of CIA Doc. No. CIA-RDP63-00313A000500130031-9, Summary of OSA Activities for Week Ending 21 August 1963, dated August 23, 1963.

34. Attached hereto as **Exhibit 30** is a true and correct excerpted copy of Solicitation SP0600-10-R-0061 and Addendum, dated July 27, 2009.

35. Attached hereto as **Exhibit 31** is a true and correct excerpted copy of Solicitation SP0600-12-R-0061 and Addendum, dated December 12, 2011.

36. Attached hereto as **Exhibit 32** is a true and correct copy of the Report reflecting procurement contract SP060012D0510, dated September 20, 2012, last modified May 15, 2013, available at <https://www.fpdsg.cms/indphp/en/>.

37. Attached hereto as **Exhibit 33** is a true and correct copy of the Report reflecting procurement contract SP060012D0498, dated September 20, 2012, last modified February 19, 2013, available at <https://www.fpdsg.cms/indphp/en/>.

38. Attached hereto as **Exhibit 34** is a true and correct copy of the Report reflecting procurement contract SP060010D0470, dated April 26, 2010, last modified June 2, 2011, available at <https://www.fpdsg.cms/indphp/en/>.

39. Attached hereto as **Exhibit 35** is a true and correct copy of the Report reflecting procurement contract SP060011D0482, dated May 13, 2011, last modified June 15, 2011, available at <https://www.fpdsg.cms/indphp/en/>.

40. Attached hereto as **Exhibit 36** is a true and correct copy of the Report reflecting the Bid Summary of Award Information for products F76, JAA, JP5, and JP8, dated October 11, 2012.

41. Attached hereto as **Exhibit 37** is a true and correct copy of the Minimum Cost Solution Bid Award Sheet detailing the shipping terminals to receive products F76, JAA, JP5, and JP8, dated October 11, 2012.

42. Attached hereto as **Exhibit 38** is a true and correct copy of the Solicitation SP0600-10-R-0061 Award Report, dated July 22, 2010.

43. Attached hereto as **Exhibit 39** is a true and correct copy of the DLA Detail Specifications for Turbine Fuels, Aviation Kerosene Types, NATO F-34(JP-8), NATO F-35, and JP-8+100, MIL-DTL-83133E, dated April 1, 1999.

44. Attached hereto as **Exhibit 40** is a true and correct copy of the DLA Detail Specification for Turbine Fuels, Grades JP-4 and JP-5, MIL-DTL-5624U, dated January 5, 2004.

45. Attached hereto as **Exhibit 41** is a true and correct copy of Tables summarizing the contracts between BP entities and Defense Logistics Agency (“DLA”) Energy Bulk Petroleum Products, which coordinates the acquisition of fuels and fuel-related services for the U.S. Department of Defense, for the period 2016-2020, along with excerpts of the contracts described therein.

46. Attached hereto as **Exhibit 42** is a true and correct excerpted copy of the Department of Defense’s Defense Handbook on Aerospace Fuels Certification, MIL-HDBK-510A, published in August 2014.

47. Attached hereto as **Exhibit 43** is a true and correct excerpted copy of Air Force Wright Aeronautical Laboratory’s Military Jet Fuels, 1944-1987, AFWAL-TR-87-2062, dated December 1987, also available at <https://apps.dtic.mil/sti/tr/pdf/ADB100948.pdf>.

48. Attached hereto as **Exhibit 44** is a true and correct copy of the U.S. Department of Defense Detail Specifications for Turbine Fuel, Aviation, Kerosene Type, JP-8 (NATO F-34), NATO F-35, and JP-8+100 (NATO F-37), MIL-DTL- 83133J, dated December 16, 2015.

49. Attached hereto as **Exhibit 45** is a true and correct copy of the U.S. Department of Defense FSII Specifications, MIL-DTL-85470B, dated June 15, 1999.

50. Attached hereto as **Exhibit 46** is a true and correct excerpted copy of the Department of Army Technical Manual on Petroleum Handling Operations for Aviation Fuel, TM 10-1107, dated February 1960.

51. Attached hereto as **Exhibit 47** is a true and correct copy of the U.S. Department of Defense Performance Specification, Inhibitor, Corrosion/Lubricity Improver Fuel Soluble [CI/LI], MIL-PRF-25017H, dated August 4, 2011.

52. Attached hereto as **Exhibit 48** is a true and correct copy of the U.S. Department of Defense Performance Specification, Additive, Lubricity Improver, Diesel [LIA], MIL-PRF-32490A, dated February 3, 2014.

53. Attached hereto as **Exhibit 49** is a true and correct copy of the U.S. Department of Defense Detail Specifications for Turbine Fuel, Aviation, Grades JP-4 and JP-5, MIL-DTL-5624W, dated March 28, 2016.

54. Attached hereto as **Exhibit 50** is a true and correct copy of the U.S. Department of Defense Detail Specifications for Fuel, Naval Distillate NATO F-76, MIL-DTL-16884N, dated April 22, 2014.

55. Attached hereto as **Exhibit 51** is a true and correct copy of the U.S. Department of Defense Detail Specifications for Fuel, Naval Distillate NATO F-76, MIL-DTL-16884P, dated September 26, 2017.

56. Attached hereto as **Exhibit 52** is a true and correct copy of Defence Standard 91-091, Turbine Fuel, Kerosene Type, Jet A-1, NATO Code: F-35; Joint Service Designation: AVTUR, Issue 9 adopted by the U.S. Department of Defense, dated October 3, 2016.

57. Attached hereto as **Exhibit 53** is a true and correct copy of the Standard Specification for Aviation Turbine Fuels, ASTM D1655, for Jet A fuels, adopted by the U.S. Department of Defense, approved May 1, 2020.

58. Attached hereto as **Exhibit 54** is a true and correct excerpted copy of records of the Hearings before the Committee on Naval Affairs of the House of Representatives on Estimates Submitted by the Secretary of the Navy, which took place in 1915, reprinting excerpts of President William H. Taft's September 6, 1910 address at the Proceedings of the Second National Conservation Congress.

59. Attached hereto as **Exhibit 55** is a true and correct copy of President William H. Taft's executive order dated September 2, 1912, as excerpted from a book titled *Oil Leasing Lands – Hearings Before the Committee on the Public Lands*, published in 1918.

60. Attached hereto as **Exhibit 56** is a true and correct copy of the U.S. General Accounting Office's ("GAO") *Naval Petroleum Reserves: Oil Sales Procedures and Prices at Elk Hills, April Through December 1986*, GAO/RCED-87-75FS, dated January 1987.

61. Attached hereto as **Exhibit 57** is a true and correct copy of the U.S. GAO's *Report on Naval Petroleum Reserve No. 1: Efforts to Sell the Reserve*, dated July 1988.

62. Attached hereto as **Exhibit 58** is a true and correct copy of Statements of Gerald D. Morgan, Special Counsel to the Committee on Naval Affairs, and Commodore W.G. Greenman, U.S. Navy, Director, Naval Petroleum Reserves, in Hearing Records.

63. Attached hereto as **Exhibit 59** is a true and correct copy of the Unit Plan Contract between Navy Department and Standard Oil Company of California Relating to Naval Petroleum Reserve No. 1 (Elk Hills) dated June 19, 1944.

64. Attached hereto as **Exhibit 60** is a true and correct copy of Records Concerning Reserves in the U.S. and PAW Districts 1941-45, Elk Hills, collected at the National Archives in Suitland, Maryland.

65. Attached hereto as **Exhibit 61** is a true and correct copy of the Operating Agreement between Navy Department and Standard Oil Company of California, Relating to Naval Petroleum Reserve No. 1 (Elk Hills), dated November 3, 1971, Contract No. NOD-9930.

66. Attached hereto as **Exhibit 62** is a true and correct copy of the Supplemental Affidavit of John W. Walker in Support of Motion for Staying Judgment, filed in *United States v. Standard Oil Co. of California*, No. F-74-11-MDC (E.D. Cal. Mar. 3, 1978).

67. Attached hereto as **Exhibit 63** is a true and correct copy of the Notice of Removal filed by defendant Shell Oil Products Company in *Rhode Island v. Chevron Corp.*, No. 1:18-cv-00395 (D.R.I.), filed July 13, 2018.

68. Attached hereto as **Exhibit 64** is a true and correct copy of Robert Lindsey's article, *Elk Hill Reserve Oil Will Flow Again*, published in the New York Times on July 3, 1976.

69. Attached hereto as **Exhibit 65** is a true and correct excerpted copy of *History of Naval Petroleum Reserve No. 1 (Elk Hills) 1912-1987*, prepared by Systematic Management Services, Inc., published on May 15, 1989.

70. Attached hereto as **Exhibit 66** is a true and correct excerpted copy of the Stipulated Facts in *United States v. Shell Oil Co.*, No. 91-0589 (C.D. Cal.), ECF No. 364, dated June 23, 1995, as reprinted in the Joint Appendix, *United States v. Shell Oil Co.*, No. 13-5051 (Fed. Cir. July 19, 2013), ECF No. 59-1.

71. Attached hereto as **Exhibit 67** is a true and correct excerpted copy of W.J. Sweeney's *Aircraft Fuels and Propellants: A Report for the Army Air Force Scientific Advisory Group*, published in 1946.

72. Attached hereto as **Exhibit 68** is a true and correct excerpted copy of I. Waitz, S. Lukachko, and J. Lee's *Military Aviation and the Environment: Historical Trends and Comparison to Civil Aviation*, published in Volume 45 of the Journal of Aircraft at 2, in 2005.

73. Attached hereto as **Exhibit 69** is a true and correct excerpted copy of the Handbook of Aviation Fuel Properties, CRC Report No. 635, published by the Coordinating Research Council in 2004.

74. Attached hereto as **Exhibit 70** is a true and correct copy of the Affidavit of Richard Tyler Priest, filed in *Anne Arundel County v. BP p.l.c., et al.*, No. 21-cv-01323 (D. Md.), filed May 27, 2021.

75. Attached hereto as **Exhibit 71** is a true and correct copy of Oil and Gas Lease of Submerged Lands Under the Outer Continental Shelf Lands Act dated February 2017.

76. Attached hereto as **Exhibit 72** is a true and correct copy of Texas Association of Realtors' Form TAR-2101.

77. Attached hereto as **Exhibit 73** is a true and correct excerpted copy of Jay Hakes's *A Declaration of Energy Independence*, published in 2008.

78. Attached hereto as **Exhibit 74** is a true and correct excerpted copy of Daniel Yergin's *The Prize: The Epic Quest for Oil, Money & Power*, published in 1991.

79. Attached hereto as **Exhibit 75** is a true and correct copy of *Excerpts From Nixon Message*, published in the New York Times on April 19, 1973.

80. Attached hereto as **Exhibit 76** is a true and correct excerpted copy of the Remarks of Representative Herbert E. Harris II made on April 8, 1975, 121 Cong. Rec. 9201, 9275–76.

81. Attached hereto as **Exhibit 77** is a true and correct copy of Records of the Proceedings and Debates on the Outer Continental Shelf Lands Act (“OCSLA”) Amendments of 1975, Congressional Record pages S903-11, dated January 27, 1975.

82. Attached hereto as **Exhibit 78** is a true and correct copy of the Comprehensive Energy Plan, House of Representatives Document Number 93-406, dated December 10, 1974.

83. Attached hereto as **Exhibit 79** is a true and correct excerpted copy of the Report by the Ad Hoc Select Committee on the Outer Continental Shelf, published in House Report No. 94-1084 in 1976.

84. Attached hereto as **Exhibit 80** is a true and correct excerpted copy of the Outer Continental Shelf Lands Act Amendments of 1977, published in House Report No. 95-590.

85. Attached hereto as **Exhibit 81** is a true and correct copy of Mineral Lease of Submerged Lands Under the Outer Continental Shelf Lands Act dated June 1991.

86. Attached hereto as **Exhibit 82** is a true and correct copy of Oil and Gas Lease Under the Mineral Lands Leasing Act, Form 3100-11, dated October 2008.

87. Attached hereto as **Exhibit 83** is a true and correct copy of chapter 5 of the Department of the Interior, Bureau of Land Management publication, *Surface Operating Standards and Guidelines for Oil and Gas Exploration and Development* (4th ed., 2007), available at <https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/operations-and-production/the-gold-book>.

88. Attached hereto as **Exhibit 84** is a true and correct excerpted copy of a Statement of Hon. John F. O’Leary, Administrator, Federal Energy Administration (“FEA”) at a Hearing

before the Senate Committee on Interior and Insular Affairs, on FEA's Strategic Petroleum Reserve Plan Submitted to the Congress for Review Pursuant to Public Law 94-163, held on February 4, 1977.

89. Attached hereto as **Exhibit 85** is a true and correct copy of the U.S. Department of Energy's Strategic Petroleum Reserve ("SPR") Annual Report to Congress for Calendar Year 2010, published in 2011, available at <https://www.energy.gov/sites/prod/files/2015/02/f20/2010%20SPR%20Annual%20Report.pdf>.

90. Attached hereto as **Exhibit 86** is a true and correct copy of a Letter addressed to the Operator from L. Dennett, Associate Director for Royalty Management, United States Department of the Interior, Minerals Management Service ("MMS"), dated December 14, 1999.

91. Attached hereto as **Exhibit 87** is a true and correct copy of a news release, *MMS RIK Program to Help Fill Strategic Petroleum Reserve*, published by the MMS on May 31, 2007.

92. Attached hereto as **Exhibit 88** is a true and correct copy of a Report Prepared by the Minority Staff of the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs of the United States Senate, entitled *U.S. Strategic Petroleum Reserve: Recent Policy Has Increased Costs to Consumers But Not Overall U.S. Energy Security*, dated March 5, 2003.

93. Attached hereto as **Exhibit 89** is a true and correct copy of the web page, *History of SPR Releases*, on the United State Department of Energy web site, available at <https://energy.gov/fe/services/petroleum-reserves/strategic-petroleum-reserve/releasing-oil-spr>.

94. Attached hereto as **Exhibit 90** is a true and correct copy of the U.S. Department of Energy's SPR Annual Report to Congress for Calendar Year 2018, published in 2020, available at

<https://www.energy.gov/sites/prod/files/2020/01/f70/2018%20SPR%20Report%20to%20Congress.pdf>.

95. Attached hereto as **Exhibit 91** is a true and correct excerpted copy of the 1968 Historic American Engineering Record No. TX-76, War Emergency Pipeline Inch Lines Historic District, from the National Parks Service.

96. Attached hereto as **Exhibit 92** is a true and correct excerpted copy of the Certificate of Dissolution of War Emergency Pipelines, Inc., dated August 28, 1947.

97. Attached hereto as **Exhibit 93** is a true and correct excerpted copy of a Statement of W. Alton Jones, Chairman of the Committee on Postwar Disposal of Pipe Lines, Refineries, and Tankers, made to the Special Committee Investigating Petroleum Resources, on November 15, 1945.

98. Attached hereto as **Exhibit 94** is a true and correct copy of the Complaint in *Municipality of San Juan v. Exxon Mobil Corp.*, No. 3:23-cv-01608 (D.P.R.), filed December 13, 2023.

I declare under penalty of perjury under the laws of Puerto Rico and the United States of America that the foregoing is true and correct and that I executed this Declaration on August 30, 2024, at Kailua-Kona, Hawaii.

/s/ Joshua D. Dick
Joshua D. Dick